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PART—I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

PERSONNEL DEPARTMENT

Notification

The 28th July, 2016

No. 28/16/2002-4SIII.— On the recommendations of the Punjab and Haryana High Court, Chandigarh, the Governor of Haryana is pleased to designate the following Additional District and Sessions Judges as District and

Sessions Judges in the State of Haryana. They have assumed the charge at their respective stations of posting on the dates as mentioned against their names:-

Sr. No.	Name of the Officer with designation	Stations of Posting/date of Joining
1.	Shri Subhas Mehla, District & Sessions Judge	Jind 06.06.2016
2.	Shri Surya Partap Singh, District & Sessions Judge	Sonepat 07.06.2016

D.S. DHESI,
Chief Secretary to Government, Haryana.

HARYANA GOVERNEMENT
WOMEN AND CHILD DEVELOPMENT DEPARTMENT HARYANA

Notification

The 25th March, 2016

No. 337 SW(3)-2016.— In supersession of the Notification No. 417-SW(3)/2014 dated 16.01.2014, the Governor of Haryana is pleased to amend the scheme namely “Relief and Rehabilitation of Women Acid Victims” to provide ad-hoc relief/Medical reimbursement and rehabilitation services to women acid victims by the Women & Child Development Department.

1. Eligibility Criteria

- Any victim/s facing acid attack after 02.05.2011 will be eligible.
- Where the Acid Victim has not been finally cured and all process over, such victim shall be considered due to continuing cause of action.
- The scheme will cover all acid attack victims’ girls/women residing in Haryana.
- An application may be filed either by the victim or by heir claiming on her behalf in cases where the victim herself is disabled to make an application.

2. Constitution of State Level Committee (SLC) for Relief and Rehabilitation of Women Acid Victims –

For considering the claims and awarding relief/rehabilitation/ reimbursement, a State Level Committee for Relief and Rehabilitation of Women Acid Victims under the Chairpersonship of Hon’ble WCDM comprising following members is hereby constituted :-

- Administrative Secretary to Government of Haryana, WCD Department - Member
- Administrative Secretary to Government of Haryana, Health Department - Member
- Administrative Secretary to Government of Haryana, Social Justice & Empowerment Department - Member
- Administrative Secretary, to Government of Haryana, SC/BC Department - Member
- Director, WCD Department - Member Secretary.

3. Functions of State Level Committee (SLC)

1. This Committee shall coordinate and monitor the functions of District Level Committee.
2. It shall ensure proper disbursement of the funds allocated under the scheme and any additional amount to be supplemented by the State Government to the District Committees.
3. Issue directions to the appropriate authorities under the Act for ensuring proper medical, psychological and legal assistance to the victim.
4. All the medical reimbursement shall be approved by the Committee before providing the financial relief.

4. District Level Committee (DLC)

1. The Committee constituted at District level may be called Committee for “Relief and Rehabilitation of Women Acid Victims”.
2. The Committee shall have exclusive jurisdiction to deal with the applications received under the scheme in that district.
3. The District Level Committee for “Relief and Rehabilitation of Women Acid Victims” under the chairpersonship of Deputy Commissioner comprising of following members is hereby constituted: -

- Two or more members having expertise in matters relating to criminal law.
- Working in the field of empowerment of women.
- Medical Doctor

(Out of which at least two members should be women).

The said members will be appointed by the concerned Deputy Commissioner for a period of two years.

5. Functions

- i. The District Level Committee shall consider the claim/s and award relief/ rehabilitation as the case may be, in accordance with procedure prescribed under the scheme.
- ii. The District Level Committee shall coordinate and monitor the provisions provided under the scheme with Government and Non-Government Organizations for rendering assistance to the victim, legal, medical or psychological, and in any other form of Aid/Assistance.
- iii. The District Magistrate shall consider the claims as deemed fit in the circumstances of the case and shall ensure ad-hoc relief to the victim and shall forward the financial claims regarding medical reimbursement to be made to the Hospitals, where the victim takes the treatment, to the Director, Women & Child Development Department, Haryana.

6. How to apply/ Procedure for application

1. The victim's parents/guardians or legal heir may apply to the District level Committee for relief in accordance with the provision of the scheme immediately.
2. In case of girl victim, the application may be made on her behalf by a parent or guardian.
3. In case of victim being a married woman, the application may be made on her behalf by husband or parent or guardian.
4. Applicant shall submit the following documents with the application:-
 - (a) A medical certificate where the application is being made by or on behalf of the victim.
 - (b) Copy of FIR/Complaint.

7. Action by District Level Committee after receiving the application.

1. On receiving the application and after having been prima facie satisfied that a case of acid attack has been made out, the Committee shall order an ad-hoc/ interim relief within 15 days, which would be recouped from WCD Department.
2. The Committee shall get a home study of the victim conducted for making an assessment of additional needs of the victims and apply other welfare scheme/relief as may be available to the applicant, within one week of the actual incident taking place. Home study shall be conducted by DCPO.
3. The Acid Attack Victim of Haryana shall be entitled to receive free of cost 100% medical treatment from amongst any of the Government Hospitals /Government approved Hospitals. Such Hospitals should forward their claims through the District Level Committee to the Director, Women and Child Development Department. The District Level Committee shall verify claim of the Government Hospitals /Government approved Hospitals, where the victim has taken treatment, with the medical bills after getting it duly countersigned by concerned civil surgeon.
4. The Committee shall forward the application to the Director, Women & Child Development for medical reimbursement within 15 days from the date on which the complainant gives her evidence or within one month from the date of receipt of application whichever is earlier.
5. The application before the Committee has to be made within 15 days from the date of incident provided that upon showing valid reasons the Committee shall have the powers to condone the delay, if any.
6. The Committee may reject any application where it is of the considered opinion that: -
 - The applicant failed to take without delay all reasonable steps to inform the police or other body or person consider by the Committee to be appropriate for the purpose of the circumstances giving rise to the attack.
 - The applicant failed to cooperate with the police or other authority in attempting to bring the convict to justice or
 - The applicant has failed to give all reasonable assistance to the Committee or other body or person in connection with the application.

7. The Committee shall hear the claims for relief and such time and in such places as the committee may determine and shall notify the applicant of the time and place of hearing of the relevant application. The Committee shall reach its decision on the basis of evidence and other information available to it at the hearing. In case victim is not in a condition to come before the committee then next of kin can be present on her behalf.
8. The payment of the medical reimbursement shall be made directly to the bank account of the said Hospital by the WCD.

8. Rehabilitation

- The severe acid victim should be treated in disabled persons category as certified from the Medical Board of the concerned District.
- Monthly financial assistance of Rs. 8,000/- to acid victims who come in the definition of disability under Section 2 (i) of the Persons with Disabilities (Equal Opportunities Protection of Rights of Full Participation) Act, 1995 should be provided by the Social Justice & Empowerment Department, Haryana.
- The victim of acid attack shall be given preference in allotment of fair price shops by the Food and Supply Department, Haryana.

9. Financial Assistance

1. A sum of Rs. 1.00 lakh shall be paid to acid victim within 15 days of occurrence of such incident (Rs. 25,000/- as ad-hoc relief immediately by the concerned Deputy Commissioner to the acid victim which shall be recouped by WCD and the rest amount of Rs. 75,000/- within 15 days by the WCD) to facilitate immediate medical attention and expenses in this regard.
2. The Acid Attack victim of Haryana shall be entitled to receive free of cost 100% medical treatment including medicine, food, bedding and plastic surgery / reconstructive surgery, if any, from amongst any of the Government Hospitals / Government approved Hospitals. The amount shall be reimbursed by the Women & Child Development Department. The amendments and the deletion / addition of Hospitals made by the Govt. from time to time shall also be automatically covered under the scheme. The list of the said Hospitals is posted on website of the Haryana Health Department at (<http://haryanahealth.nic.in/menudesc.aspx?page=232>).

10. Duty of Medical Facility:-

1. No Medical hospital or speciality, government owned or privately owned shall deny specialised or any form of treatment to any victim on any ground, when such victim is brought before or approaches such facility for treatment.
2. Where such medical facility receives such a victim for treatment it shall forthwith inform the District Board / State Board and the police of the same, but shall in no manner or on any ground refuse treatment to such victim.
3. For the purpose of treatment, the police report or the FIR shall not be relevant precondition.

Chandigarh:
The 22nd March, 2016.

DHEERA KHANDELWAL,
Additional Chief Secretary to Government Haryana,
Women and Child Development Department.

HARYANA ELECTRICITY REGULATORY COMMISSION

BAYS NO. 33-36, SECTOR – 4, PANCHKULA – 134113

Notification

The 28th July, 2016

Haryana Electricity Regulatory Commission – Guidelines on Evaluation, Measurement and Verification of Demand Side Management Programmes, 2016

No. HERC/35/ 2016.— In exercise of the powers conferred on it by Haryana Electricity Regulatory Commission (Demand Side Management), Regulations, 2014, under Regulations 6.1 (iv), the Haryana Electricity Regulatory Commission hereby issues the following Guidelines, for providing framework for Evaluation, Measurement and Verification of Demand Side Management Programmes to be followed by the Distribution Licensees and for matters in connection therewith and incidental and ancillary thereto.

1.1 SHORT TITLE, COMMENCEMENT, EXTENT OF APPLICATION AND INTERPRETATION.

- (1) These Guidelines may be called the “**Haryana Electricity Regulatory Commission (Evaluation, Measurement and Verification of DSM Programmes) Guidelines, 2016**”.
- (2) These Guidelines shall be followed by Distribution Licensees and Commission or Third Party Evaluator empanelled by the Commission in the State of Haryana while:
 - (a) Formulating E,M&V Plan for each DSM programme;
 - (b) Engaging Third Party Evaluator for undertaking E,M&V of DSM programme;
 - (c) Undertaking E,M&V of DSM programme by the Third Party Evaluator;
 - (d) Reporting the findings of the E,M&V of DSM programme by the Third Party Evaluator.
- (3) These Guidelines shall come into force on the date of publication of the same and shall remain in force till such time it is modified by the Commission. Any modifications in the assessment methodology, as and when required, can be incorporated in the subsequent version of the Guidelines.

1.2 DEFINITIONS

- (1) In these Guidelines, unless the context otherwise requires:-
 - (a) “**Adjustments**” means the factors that modify baseline energy or demand values to account for independent variables that influence energy use. These adjustments account for conditions in the reporting period that are different from the conditions during the baseline period but are not a result of the programme activity;
 - (b) “**Baseline data**” or “**Baseline Energy Use**” means the initial base level consumption and/or demand for electricity before a DSM programme begins to provide a reference point for comparison for assessments;
 - (c) “**DSM Measure**” means individual energy efficiency and / or energy conservation equipment or technology installed in the residence or facility of the consumer;
 - (d) “**Gross Savings**” means the change in energy consumption, resulting from consumers participation in the DSM project;
 - (e) “**Evaluation, Measurement and Verification**” means activities undertaken to evaluate, measure and verify the progress, performance or other aspects of DSM/energy efficient programmes or their market environment;
 - (f) “**Evaluation, Measurement and Verification Plan**” means a plan to be prepared by the Distribution Licensee to evaluate, measure and verify the performance or other aspects of DSM programme;
 - (g) “**Reporting Period Energy Use**” means energy and/or demand use post implementation of DSM programme;
 - (h) “**Third Party Evaluator**” means the Commission empanelled agency (s) having credentials defined under these Regulations to be appointed by the Distribution Licensee for conducting E,M&V of DSM programme.
- (2) All other expressions used herein but not specifically defined in these Regulations but defined in the Act shall have the meaning assigned to them in the Act. The other expressions used herein but not specifically defined in these Regulations or in the Act but defined in the Haryana Electricity Reform Act, 1997 (Act 10 of 1998) shall have the meanings assigned to them in the Haryana Electricity Reform Act, 1997 (Act 10 of 1998) or any law passed by the Parliament/Assembly/any other Regulations including CERC, provided that such definitions are not inconsistent with the provisions of the Electricity Act, 2003.

1.3 RELEVANT PROVISIONS OF HERC (DEMAND SIDE MANAGEMENT), REGULATIONS, 2014

- (1) The Demand Side Management Regulations notified by the Haryana Electricity Regulatory Commission require all Distribution Licensees to prepare a plan for E,M&V for each DSM programme using E,M&V Guidelines to be issued by HERC. The relevant provisions of the HERC (Demand Side Management) Regulations, 2014 are reproduced below:-
 - (a) **Regulation 17: Evaluation, Measurement and Verification of DSM Programme:** “17.1 Distribution Licensee shall prepare plan for evaluation, measurement and verification of savings from DSM programmes as per Guidelines on Evaluation, Measurement and Verification issued by the Commission from time to time.

17.2 Third party Evaluation Measurement and Verification of DSM programmes may be undertaken by the Commission or through third party assigned by Commission. While engaging the agency, the Commission shall ensure that the Agency is not undertaking any other engagement which could conflict with the interests of the consumers in the State.

17.3 Distribution Licensee shall make available necessary information/data to the Commission or third party assigned by the Commission to measure and verify the savings from DSM programmes.”

1.4 EVALUATION, MEASUREMENT AND VERIFICATION GUIDING PRINCIPLES

- (1) The entire E,M&V process for each DSM programme implemented by the Distribution Licensee in the State of Haryana shall be managed in the following manner:-
 - (a) The Distribution Licensee shall prepare a plan for E,M&V of savings from a DSM programme as per the Guidelines on E,M&V issued by the Commission and submit the same to the Commission along with the DSM programme document for approval.
 - (b) The Commission shall empanel Third Party Evaluators for undertaking E,M&V of DSM programmes. Third Party Evaluator shall be empanelled as per the criteria defined under the Regulation 1.8 of these Guidelines.
 - (c) The Distribution Licensee shall engage Commission's empanelled Third Party Evaluator through competitive bidding for undertaking E,M&V of DSM programme. The Distribution Licensee shall bear the cost of engaging Third Party Evaluator.
 - (d) The Third Party Evaluator shall conduct E,M&V of each DSM programme implemented by the Distribution Licensee.
 - (e) The Distribution Licensee shall make available necessary information / data to the Third Party Evaluator to evaluate, measure and verify the savings from the DSM programme.
 - (f) The Third Party Evaluator shall document the findings of the E,M&V in the form of report and submit the same to the Commission. The E,M&V report shall include all the contents specified under the Regulation 1.9 of these Guidelines.
 - (g) The DSM Advisory Committee shall review the E,M&V report submitted by the Distribution Licensee and submit the same to the Commission with its observations and comments.
 - (h) The Commission may seek clarifications from DSM Advisory Committee and/or the Distribution Licensee and issue directives/Guidelines to the Distribution Licensee for improvement of current and future DSM programmes.

1.5 DEVELOPMENT OF E,M&V PLAN BY THE DISTRIBUTION LICENSEE

- (1) The Distribution Licensee shall prepare the E,M&V Plan for each DSM programme and submit the same to the Commission along with the DSM programme document. The plan shall contain the following details:-
 - (a) DSM Programme Overview.
 - (i) Goal and Objectives;
 - (ii) Target market;
 - (iii) Eligibility criteria for participants;
 - (iv) Key programme elements;
 - (v) Programme timings; and
 - (vi) Estimated participations;
 - (vii) Estimated savings (in terms of energy and demand);
 - (viii) Programme implementation mechanism;
 - (b) Brief description of previous similar programme evaluation including pilot programme.
 - (c) Evaluation Overview.
 - (i) List of evaluation objectives and how they support programme goal;
 - (ii) Evaluation approach selected;
 - (iii) Evaluation Cycle (i.e. interval/frequency)
 - (iv) List of indicators to be reported;

- (d) Detailed Evaluation Approach, Scope, Budget, Schedule and Staffing.
 - (i) Details of evaluation approach selected;
 - (ii) Data collection details – assessment mechanism – interview, surveys, secondary market research, sampling approach and criteria for sample selection, methods for measurement collection and data analysis;
 - (iii) Ways of dealing with uncertainty – discussions & presentations with the Commission, method of quality control etc;
 - (iv) Activity timelines with programme deliverables dates;
 - (v) Detailed budget for evaluation;
 - (vi) Reporting format of evaluation results;
- (2) The Commission shall approve E,M&V Plan before implementation of DSM programme by the Distribution Licensee.

1.6 EVALUATION TYPES AND APPROACHES

- (1) These Guidelines shall be used for evaluation of all the DSM programmes implemented by the Distribution Licensees.
- (2) Evaluation shall determine direct benefits (i.e. energy and demand savings) and co-benefits (i.e. avoided emissions) that directly result from a DSM programme. The E,M&V report shall specifically corroborate with the DSM programme's cost effectiveness assessment.
- (3) Evaluation shall be expressed in terms of Gross Energy and Demand Savings. Gross savings shall be determined by comparing energy use and demand after implementation of DSM programme (i.e. the reporting period) with the energy use and demand before implementation of DSM programme (i.e. the baseline period). The following formula shall be used to determine the energy and demand savings from DSM programme:-

$$\text{Demand Savings} = \text{Energy Savings} / \text{Time Period (Operating Hours) of Energy Savings}$$

$$\text{Energy Savings} = (\text{Baseline Energy Use}) - (\text{Reporting Period Energy Use}) \pm \text{Adjustments}$$

Wherein:

Baseline Energy Use:- Business as usual energy use or pre DSM programme implementation energy use;

Reporting Period Energy Use:- Post implementation energy use;

Adjustments: Suitable adjustments shall be made to the baseline when post-implementation conditions in energy use have changed in relation to the pre installation conditions;

- (4) Evaluation shall primarily be carried out using any of the following three approaches such as Deemed Savings Approach, Measurement & Verification Approach and Large Scale Data Analysis Approach.
 - (a) **Deemed Savings Approach:-** This approach shall be used when value of savings for a DSM measure is available based on historical savings data of previous DSM programmes. The sources of stipulated value to be used shall be documented in the E,M&V plan. This approach shall be used for the DSM programmes having simple DSM measures with well understood savings mechanism (i.e. energy consumption usage pattern), similar operating conditions (i.e. operating hours) and are also not subject to significant variation in savings due to changes in independent variables. This approach does not require onsite measurement or metering but requires field inspection for all or a sample of projects in order to ensure its proper installation and operations.
 - (b) **Measurement & Verification Approach:-** Any one or a combination of the four International Performance Measurement & Verification Protocol (IPMVP)¹ Options shall be used to estimate the gross savings through implementation of DSM programme. A particular option shall be chosen based on the specific features such as type and complexity, uncertainty of the project savings, potential for changes in key factors between baseline and reporting period and value of project savings of particular DSM programme.

Options	Description	Typical Application
Option A – Retrofit Isolation: Key Parameter Measurement	<ul style="list-style-type: none"> This Option is based on combination of measured and estimated factors when variation in factors are not expected; Measurements are spot and short-term and are taken at the component or system level, both in the baseline and post-installation cases. Measurement should include the key performance parameter(s) which define the energy use of the DSM measure. Parameters not selected for field measurements are estimated. Estimates can be based on historical data, manufacturer's specifications or engineering judgement. Savings are determined by means of engineering calculations of baseline and post-installation energy use based on measured and estimated values. 	<ul style="list-style-type: none"> Typical application includes lighting or fan retrofit programme where (a) power draw by the lighting or fan retrofit is the key performance parameter that is measured periodically and (b) lighting or fan operating hours are estimated based on facility operating schedules and occupant behaviour.
Option B – Retrofit Isolation: All Parameter Measurement	<ul style="list-style-type: none"> This option is based on periodic or continuous measurements of energy use taken at the component or system level when variations in factors are expected. Energy or proxies of energy use are measured continuously. Periodic spot or short term measurements may suffice when variations in factors are not expected. Savings are determined from analysis of baseline and reporting period energy use or proxies of energy use. 	<ul style="list-style-type: none"> Typical application includes installation of variable speed drive on motor to adjust/control the flow of pump. Measure electric power with a kW meter installed on the electrical supply to the motor, which reads the power every minute. In the baseline period, this meter is in place for a week to verify constant loading. The meter is in place throughout the reporting period to track variation in power use.
Option C – Whole Facility	<ul style="list-style-type: none"> This option is based on long-term, continuous, whole-building utility meter, facility level, or sub-meter energy data. Savings are determined from analysis of baseline and reporting period energy data. Typically, regression analysis is conducted to correlated with and adjust energy use to independent variables such as weather, but simple comparisons may also be used. 	<ul style="list-style-type: none"> This option is most commonly used for M&V of building energy efficiency retrofits. Typical application involves multifaceted energy management programme affecting many systems in a facility. Measure energy use with electric utility meter for a twelve month baseline period and throughout the reporting period.
Option D – Calibrated Simulation	<ul style="list-style-type: none"> Simulation software is used to model energy performance of a whole facility or sub-facility. Models must be calibrated with actual hourly or monthly billing data from the facility. Inputs to the models include facility characteristics, performance specifications of new and existing equipment or system, engineering estimates, spot, short-term, or long-term measurements of system components, and long-term whole-building utility meter data. After the model has been calibrated, savings are determined by comparing a simulation of the baseline with either a simulation of the performance period or actual utility data. 	<ul style="list-style-type: none"> Typical application involves multifaceted energy management programme affecting many systems in a facility but where no meter existed in the baseline period. Energy use measurement after installation of electric meters, is used to calibrate the simulation. Baseline energy use, determined using the calibrated simulation, is compared to a simulation of reporting period energy use.

- (c) **Large Scale Data Analysis Approach:-** This approach shall use a variety of statistical methods to measure facility energy consumption meter data (almost always whole facility utility meter billing data) and independent variable data to estimate gross energy and demand savings. This approach shall be most suitable for programmes that involve large scale retrofit programmes with many participants. This approach shall be most suitable for DSM programmes that meet following criteria:-
- Participation is well defined;
 - The programme has a relatively large number of participants;
 - At least one year's worth energy consumption data are available after programme measures are installed. If a comparison group is not used, at least one year's worth of baseline energy consumption data should also be available;
 - There is some similarity between or relatively homogenous sub-groups of participants can be formed with similar facility and DSM measures characteristics;
 - Expected changes in energy consumption due to DSM measures installed through the programme account for at least 10 percent of facility energy consumption.

1.7 SELECTION OF APPROACHES FOR ESTIMATING SAVINGS

- (1) The Distribution Licensee shall select any one or combination of more approaches as specified under Regulation 1.6 (4) of these Guidelines for estimating savings through proposed DSM programme.
- (2) The Distribution Licensee shall include the selected approach in to the E,M&V plan and submit the same to the Commission along with the DSM programme document for approval.
- (3) The DSM Advisory Committee shall review the approach proposed by the Distribution Licensee for evaluation of each DSM programme. The DSM Advisory Committee may call for clarification, additional information and data as necessary considering type and complexity, uncertainty of the programme savings, value of savings and objectives of the proposed DSM programme.
- (4) The DSM Advisory Committee shall evaluate revised documents submitted by the Distribution Licensee and present the same to the Commission with its observations and comments.
- (5) The Commission shall evaluate revised documents submitted by the DSM Advisory Committee/Distribution Licensee and freeze the approach to be used for conducting evaluation of DSM programme.

1.8 CRITERIA FOR EMPANELMENT & SELECTION OF THIRD PARTY EVALUATOR

- (1) The Commission shall empanel Third Party Evaluator to undertake E,M&V of the DSM programmes.
- (2) The Commission shall empanel Third Party Evaluator based on the following criteria:-
 - (a) Third Party Evaluator should be consultancy organization and/or consortia thereof;
 - (b) Third Party Evaluator shall have at least one Certified Measurement & Verification Professional (CMVP) or Certified Energy Auditor from Bureau of Energy Efficiency (BEE) on its team;
 - (c) Third Party Evaluator shall possess prior experience in conducting E,M&V of DSM programmes;
- (3) The Distribution Licensee shall engage Commission's empanelled Third Party Evaluator through competitive bidding for undertaking E,M&V of the each DSM programme.
- (4) The Distribution Licensee shall ensure that selected Third Party Evaluator shall not be involved in design, development, implementation and review of that particular DSM programme in last two years or have any present ongoing engagement with the utility.
- (5) The Third Party Evaluator shall carry out E,M&V of DSM programme as per the E,M&V plan approved by the Commission.
- (6) The Third Party Evaluator shall provide E,M&V report for individual DSM measure as per the timeline defined in the approved E,M&V plan.

1.9 E,M&V REPORT

- (1) The Third Party Evaluator shall document the findings of the E,M&V in the form of report and submit the same to the Commission.
- (2) The E,M&V report shall include the following details:-
 - (a) DSM programme overview;
 - (b) Evaluation objectives;

- (c) Methodology for evaluation;
 - (d) Market segments;
 - (e) Programme components;
 - (f) Measurement instruments used and accuracy;
 - (g) Performance of DSM measures;
 - (h) Estimation of gross savings;
 - (i) Assessment of DSM programme cost-effectiveness;
 - (j) Accuracy and reliability of E,M&V results;
 - (k) Lessons learnt from E,M&V;
 - (l) Key recommendations for improvement of current and future DSM programmes;
- (3) The DSM Advisory Committee shall review the E,M&V report. The DSM Advisory Committee may either ask for clarification, additional information and data as necessary with respect to the E,M&V report from the Third Party Evaluator or submit the same to the Commission with its observations and comments.
- (4) The Commission may seek clarifications from DSM Advisory Committee and/or Third Party Evaluator and issue directives/Guidelines to the Distribution Licensee for improvement of current and future DSM programmes.
- (5) The Commission shall also take in to consideration results of E,M&V while approving the large scale DSM programme or future DSM programmes.

1.10 MISCELLANEOUS

- (1) The Commission may, at any time add, vary, alter, modify or amend any provisions of these Guidelines.
- (a) **Powers to remove difficulty:-** If any difficulty arises in giving effect to the provisions of these Guidelines, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.
 - (b) **Powers to give directions:-** The Commission may, from time to time, issue amendments and practice directions as considered appropriate to ensure implementation of the Guidelines and procedures to be followed.
 - (c) **Powers to relax:-** The Commission may by general or special order, for reasons to be recorded in writing, may relax any of the provisions of these Guidelines on its own motion or on an application made before it by an interested person.
 - (d) All disputes arising under these Guidelines shall be decided by the Commission based on an application made by the person aggrieved in accordance with the HERC (Conduct of Business) Regulations, 2004 read with amendment thereof.

By orders of the Commission,

(Sd.)...,

Director/Tariff,
Haryana Electricity Regulatory Commission.

*Annexure-I***ACRONYMS**

Acronym	Definition
Act	Electricity Act, 2003
BEE	Bureau of Energy Efficiency
CMVP	Certified Measurement and Verification Professional
DSM	Demand Side Management
EE	Energy Efficiency
E,M&V	Evaluation, Measurement and Verification
HERC	Haryana Electricity Regulatory Commission
IPMVP	International Performance Measurement and Verification Protocol

HARYANA ELECTRICITY REGULATORY COMMISSION

BAYS NO. 33-36, SECTOR – 4, PANCHKULA – 134113

Notification

The 28th July, 2016

Haryana Electricity Regulatory Commission – Guidelines on Cost Effectiveness Assessment of Demand Side Management Programmes, 2016

No. HERC/36/2016.— In exercise of the powers conferred on it by Haryana Electricity Regulatory Commission (Demand Side Management), Regulations, 2014, under Regulations 6.1 (iii), the Haryana Electricity Regulatory Commission hereby issues the Guidelines for Cost Effectiveness Assessment of Demand Side Management Programmes, providing methods and principles for assessing cost effectiveness of DSM programmes and charges recoverable by the Distribution Licensee in connection therewith and for matters incidental and ancillary thereto.

1.1 SHORT TITLE, COMMENCEMENT, EXTENT OF APPLICATION AND INTERPRETATION

- (1) These Guidelines may be called the **“Haryana Electricity Regulatory Commission (Cost Effectiveness Assessment of DSM Programmes) Guidelines, 2016”**.
- (2) These Guidelines are to be followed by Distribution Licensees in the State of Haryana as provided in their respective licences:-
 - (a) While formulating the DSM Plan pursuant to Regulation 10.1 (v) of the Haryana Electricity Regulatory Commission (Demand Side Management) Regulations, 2014;
 - (b) While selection and prioritisation of various DSM programmes in the DSM plan pursuant to Regulation 10.4 (i) of the Haryana Electricity Regulatory Commission (Demand Side Management) Regulations, 2014;
 - (c) While preparing Programme Document, for each DSM programme included in the DSM Plan pursuant to Regulations 12.1 and 12.2 and Regulations 20.2 of the Haryana Electricity Regulatory Commission (Demand Side Management), Regulations, 2014.
- (3) These Guidelines shall come into force on the date of publication of the same and shall remain in force till such time it is modified by the respective Regulations. Any modifications in the assessment methodology, as and when required, can be incorporated in the subsequent version of the Guidelines.

1.2 DEFINITIONS

- (a) In these Guidelines, unless the context otherwise requires:-
 - (a) **“Act”** means the Electricity Act, 2003 (36 of 2003);
 - (b) **“Bureau”** means the Bureau of Energy Efficiency established under subsection (1) of Section 2 of the Energy Conservation Act, 2001;
 - (c) **“Benefit/Cost ratio”** means the sum of the present value of the benefits from an investment divided by the sum of the present value of the costs of the investments;
 - (d) **“Commission”** means the Haryana Electricity Regulatory Commission;
 - (e) **“Cost Effectiveness Index”** shall have the same meaning as defined in Clause (3) of Regulation 20 of Haryana Electricity Regulatory Commission (Demand Side Management) Regulations, 2014;
 - (f) **“Cost of Conserved Energy”** shall have the same meaning as defined in Clause (4) of Regulation 20 of Haryana Electricity Regulatory Commission (Demand Side Management) Regulations, 2014;
 - (g) **“Capital Recovery Factor”** means a factor determining the annualized value of an appliance/equipment equivalent to the initial investment over its life;
 - (h) **“Demand Side Management (DSM)”** means the actions of a Distribution Licensee, beyond the consumer's meter, with the objective of improving the end-use efficiency of electricity – whether it is to increase demand, decrease it, shift it between high and low peak periods, or manage it when there are intermittent load demands in the overall interests of reducing Distribution Licensee costs;
 - (i) **Discount Rate for Consumers** shall be equivalent to the rate at which State Bank of India would lend to the consumers;

- (j) **“Discount Rate for Distribution Licensee”** is equivalent to its **“Weighted Average Cost of Capital”**. It is defined as average of the costs of various sources of financing including debt and equity, each of which is weighted by its respective ration in the total capital employed in the project;
- (k) **“DSM Measure”** means individual energy efficiency and / or energy conservation installed in the residence or facility of the consumer;
- (l) **“DSM Resource Acquisition”** means a mechanism to implement DSM programmes through customers, Energy Service Companies, Non-Government Organizations, manufacturers/suppliers, or other private sector organizations, with payment made to them by the Distribution Licensee normally out of the actual / expected savings from the resultant energy and load reductions except the programmes under 14(5) of Haryana Electricity Regulatory Commission (Demand Side Management) Regulations, 2014 for which the resources may be provided through the ARR or other sources;
- (m) **“Energy Services Company or ESCO”** means a company which is in the business of providing energy efficient and load management equipment, processes and/or services to end use customers and is approved by Bureau;
- (n) **“Evaluation, Measurement and Verification”** means activities undertaken to evaluate, monitor, measure and verify the progress, performance or other aspects of DSM/energy efficiency programmes or their market environment;
- (o) **“Gross Savings”** means the changes in energy consumption or demand resulting from consumers participation in the DSM project;
- (p) **“Marginal Cost of Power Purchase”** shall be equivalent to the weighted average cost of top 10% of actual power procurement by the Distribution Licensee during the previous financial year.
- (q) **“Monitoring and Reporting”** means activities undertaken to monitor and evaluate the progress of DSM/energy efficiency programmes of the Distribution Licensee.
- (b) All other expressions used herein but not specifically defined in these Regulations but defined in the Act shall have the meaning assigned to them in the Act. The other expressions used herein but not specifically defined in these Regulations or in the Act but defined in the Haryana Electricity Reform Act, 1997 (Act 10 of 1998) shall have the meanings assigned to them in the Haryana Electricity Reform Act, 1997 (Act 10 of 1998) or any law passed by the Parliament/Assembly/any other Regulations including CERC, provided that such definitions are not inconsistent with the provisions of the Electricity Act, 2003.

1.3 RELEVANT PROVISIONS OF HERC (DEMAND SIDE MANAGEMENT), REGULATIONS, 2014

The Demand Side Management Regulations notified by the Haryana Electricity Regulatory Commission require all Distribution Licensees in its service area to undertake cost effectiveness assessment using Cost Effectiveness Assessment Guidelines to be issued by HERC. The relevant provisions of the HERC (Demand Side Management) Regulations, 2014 are reproduced below:-

(1) Regulation 6: Guidelines on DSM Process:-

“6.1 The Commission may issue Guidelines from time to time to the Distribution Licensee in execution of the following activities(iii) **Cost Effectiveness Assessment of DSM Programmes”;**

(2) Regulation 10: Formulation of DSM Plan:-

“10.1 Distribution Licensee shall formulate and submit to the Commission a perspective DSM Plan covering period of the DSM control period, within six months of the beginning of every control period. The Plan shall include..... (v) **Indicative cost effectiveness assessment of programme”;**

“10.4 Selection and prioritization of various DSM programmes in the DSM Plan shall be guided by the following factors..... (i) **Cost effectiveness Guidelines issued by the Commission”;**

(3) Regulation 12: Preparation of DSM Programme Document:-

“12.1 Prior to implementation of any DSM programme the Distribution Licensee shall prepare and submit to the Commission a portfolio of DSM programme including but not limited to retrofits, new

purchases, new building designs, water and energy conservation in agriculture, combined heat and power. The Distribution Licensee may design DSM programme for end uses including air conditioning & refrigeration, heating, water pumping, motors and motor driven systems, lighting, building, industry specific programmes for its domestic, commercial, agriculture, public water works, street lightings, railways and other consumers.

For each DSM programme included in the DSM Plan, a detailed description shall be provided in a separate programme document. The description shall include general information including objectives and rational, technology, schedule for deployment, budget, **cost effectiveness assessment**, detailed implementation plan including consumer segment and estimated level of participation as well as implementation mechanism i.e. Energy Service Companies, DSM Bidding, DSM Resource Acquisition, estimation of baseline and savings, mechanism of recovery of cost and performance incentive, monitoring and evaluation plan.

12.2 For each DSM programme cost benefit analysis shall be carried out as per Guidelines issued by the Commission on cost effectiveness from time to time”.

(4) Regulation 20: Criteria for Assessment & Approval of DSM Programme:-

“20.2 Programme Document shall also include **Cost Effectiveness Assessment** of each DSM programme from Distribution Licensee perspective and participating Consumers investing in the DSM programme perspective”.

“20.3 **“Cost Effectiveness Index” (CEI)** shall be used to assess the viability of the DSM programme from the perspective Distribution Licensee. CEI shall be based on financial evaluation technique ‘Benefit/Cost ratio’ (B/C ratio), which is sum of the present value of the benefits of DSM programme divided by the sum of the present value of the costs associated with the DSM programme. The CEI greater than one means that the full cost of an investment will be recovered through the benefits”;

“20.4 **“Cost of Conserved Energy (CCE)”** shall be used to assess the cost effectiveness of DSM programme from the point of view of the Participating Consumers investing in the programme. CCE shall be the annualized incremental cost of investment in efficient option divided by annual energy saved due to adoption of efficient option. If Average Tariff of the target consumer category is greater than CCE, DSM programme is viable from the point of the participating consumers who are also investing in the programme. Average Tariff shall be the average cost of supply of the target consumer category in the year of implementation of the DSM programme.”

“20.5 The Commission shall issue detailed **Cost Effectiveness Assessment Guidelines** defining the criteria for assessment of DSM programme”.

1.4 GENERAL

These Guidelines shall be applicable for approval of costs associated with all DSM activities identified in the DSM process. These Guidelines shall be used to assess only those DSM programmes primarily where significant investments are expected from either Distribution Licensee and/or consumers.

1.5 ASSOCIATED WITH DEMAND SIDE MANAGEMENT PROCESS

Costs are involved at every stage of the DSM process. Costs should be categorised under “Programme Costs” and “General Costs” depending on whether these are directly associated with execution of any particular DSM programme or not.

The “Programme Costs” are defined as the costs incurred to undertake programme related activities such as design, development and implementation of DSM programmes, monitoring and reporting and Evaluation, Measurement & Verification (E, M & V), etc.

The costs associated with other activities such as load and market research, technical potential assessment, design and development of DSM plan and administrative costs that are not specific to any DSM programme are defined as “General Costs”.

While “General Costs” are real costs incurred by the Distribution Licensee, there is no direct measurable benefit associated with the same. Hence, Distribution Licensee shall have to perform cost benefit analysis for programme specific costs.

The Distribution Licensee shall categorize all possible costs associated with a DSM programme under the following major cost codes:-

Major Costs	Description
Cost of design, development and implementation of DSM programme (C1)	The costs associated with design, development and implementation of DSM programme involve manpower costs of the Distribution Licensee. The Distribution Licensee may undertake all the activities on its own or may choose to hire a third party contractor/consultant to undertake some of the activities.
Capital Cost (C2)	Many DSM programmes involve replacement of old inefficient appliances or equipment or installation of new efficient appliances or equipment. The costs of purchasing and replacing these appliances/equipment depends on the number of participants in the programme and the price at which they are procured. This cost, which is referred to as Capital Cost may be borne by the Distribution Licensee or consumer or may even be shared between them. Government may also provide subsidy or fiscal incentive such as lower taxes, etc.
Cost of Installations of Efficient Appliances (C3)	DSM measures that involve higher star rated appliances such as air conditioner, chillers, pumping system etc., involve significant installation costs. Similar to capital costs, these costs may be borne by Distribution Licensee or consumers or may be shared between them.
Annual Operation and Maintenance Costs (C4)	The costs pertaining to O&M of appliances/equipment may be borne by the Distribution Licensee or the consumer or may be shared between them.
Monitoring and Reporting (C5)	Distribution Licensee shall undertake monitoring and reporting of DSM programmes as per the HERC (DSM), Regulations, 2014. The costs associated with this activity shall be borne by the Distribution Licensee.
Evaluation, Measurement and Verification Costs (C6)	The costs for providing necessary support to regulatory Commission in carrying out Evaluation, Measurement and Verification shall be borne by the Distribution Licensee.
Communication and Outreach Expenses (C7)	To maximise participation in DSM programme, Distribution Licensee or Government or funding agency, etc. may have to undertake marketing and awareness related activities. The Distribution Licensee or Government or funding agency will have to bear the corresponding expenses.
Third Party Contracting (C8)	DSM programmes where third party is involved for undertaking some of the activities, the Distribution Licensee will have to incur cost of contracting. This cost depends on the mechanism of cost sharing between the Distribution Licensee and the third party.
Safe Disposal Cost (C9)	The cost of old/inefficient equipment's safe disposal may be borne by the Distribution Licensee or the consumer or may be shared between them.

1.6 CATEGORIZATION OF DSM PROGRAMMES

The DSM programmes can be categorised on the basis of the costs incurred by the stakeholders. The cost can be borne completely by the Distribution Licensee or by the consumers or may be shared between them. Further, there could be DSM programmes developed by Central and State Government but implemented by the Distribution Licensee with/without contribution by the consumers. The DSM programmes are categorised in the following five types of categories considering the costs to be incurred by the stakeholders:-

- (1) **Type 1: DSM Programme Costs to be borne by Distribution Licensee**
- (2) **Type 2: DSM Programme Costs to be borne by Consumers**
- (3) **Type 3: Partial sharing of DSM Programme Costs between Distribution Licensee and Consumers;**
- (4) **Type 4: DSM Programme Costs to be borne by Government/Funding Agency and Distribution Licensee;**
- (5) **Type 5: DSM Programme Costs to be borne by Government/Funding Agency and Consumers**

1.7 CRITERIA/PARAMETERS FOR ASSESSMENT OF DSM PROGRAMMES

The Distribution Licensee shall submit to the Commission the DSM programme and plan document that pass the Cost Effectiveness Assessment Criteria set-forth under these Guidelines. The programme document shall include Cost Effectiveness Assessment of each DSM programme from Distribution Licensee perspective and Participating Consumers investing in the DSM programme perspective.

(1) **Criteria for Assessment of DSM Programme from the Perspective of Distribution Licensee:**

(a) **Cost Effectiveness Index (CEI):-**

“Cost Effectiveness Index” (CEI) shall be used to assess the viability of the DSM programme from the perspective of Distribution Licensee. CEI shall be based on ‘Benefit/Cost ratio’ (B/C ratio), which is sum of the present value of the benefits of DSM programme divided by the sum of the present value of the costs associated with the DSM programme. It is presented in equation form as given below:-

$$\text{Cost Effectiveness Index} = \frac{PVB}{PVC}$$

Where

PVB = present value of benefits

PVC = present value of costs

Here, PVB and PVC are calculated using the following formulae:-

$$PVB = \sum_{k=1}^n \frac{B_k}{(1 + d_{DL})^k}$$

$$PVC = \sum_{k=0}^n \frac{C_k}{(1 + d_{DL})^k}$$

Where,

Parameter	Definition
B_k	Total benefits in the ‘k’th year
C_k	Total costs in ‘k’th year
N	Life of the programme
d_{DL}	Discount rate for the Distribution Licensee

Benefits to the Distribution Licensee is calculated by subtracting revenue loss due to lower sales from the benefits to the Distribution Licensee either due to lower power procurement at the marginal cost of procurement or sale of power to other consumer category for the power surplus and deficits scenarios respectively. Net Benefits to the Distribution Licensee in both the scenarios are calculated using the following formulae:-

➤ **Net Benefits to Distribution Licensee in Power Deficit Scenario:-**

$$B_k = ES_k \times (T_{avg} - T_{tc})$$

Where,

Parameter	Definition	Example
B_k	Total benefits in the ‘k’ th year	In power deficit scenario, benefit should be quantified as sale of saved power to other consumer category minus loss of revenue due to lower sales to target consumer category.
ES_k	Energy Saved in the ‘k’th year (Units)	Savings in quantum of energy due to implementation of DSM programme
T_{avg}	Average Tariff (considering all consumer categories), Rs./unit	Calculated as total revenue realisation by total energy sales of the Distribution Licensee
T_{tc}	Tariff of Target Consumer Category, Rs./Unit	Revenue realized from the target consumer category in the year of the implementation of the DSM programme

➤ *Net Benefits to Distribution Licensee in Power Surplus Scenario:-*

$$B_k = ES_k \times \{ (PP_{MC} / (1 - TD_k)) - T_{tc} \}$$

Where,

Parameter	Definition	Example
B_k	Benefit in the 'k'th year	In power surplus scenario, benefit should be quantified as reduction in power procurement at the marginal cost minus loss of revenue due to lower sales to target consumer category.
ES_k	Energy Saved in the 'k'th year (Units)	Savings in quantum of energy due to implementation of DSM programme
PP_{MC}	Marginal Cost of Power Purchase	Weighted average cost of top 10% of actual power procurement by the Distribution Licensee during the previous financial year
TD_k	T&D losses in the 'k'th year	Latest value of Transmission and Distribution Losses defined as under: $TD_k = (1 - (1 - \text{Transmission losses}) * (1 - \text{Distribution losses}))$
T_{tc}	Average Tariff of Target Consumer Category, Rs./Unit	Revenue realized from the target consumer category in the year of the implementation of the DSM programme

The CEI greater than one means that the full cost of an investment will be recovered through the benefits.

(b) **Demand Versus Supply Side Options:-**

This criterion should be used to assess and ensure that proposed DSM programme is cost effective (cheaper alternative) as compared to the supply side options available to the Distribution Licensee. This is based on the principle that total cost incurred for the implementation of DSM programme per unit of energy saved should be lesser than marginal cost of the power purchase by the Distribution Licensee in the year of the implementation of the DSM programme. The formula used for calculating cost of DSM programme per unit of energy saved shall be:-

$$C_{ES} = \frac{PV(TC_{DSM})}{\sum_{k=0}^n ES_k}$$

$$PV(TC_{DSM}) = \sum_{k=0}^n \frac{(TC_{DSM})_k}{(1 + d_{DL})^k}$$

Where,

Parameter	Definition	Example
C_{ESk}	Present Value of total Cost of DSM programme per unit of Energy Saved during the life of programme, Rs./Unit	Total Cost incurred for the implementation of DSM programme in order to save per unit of energy;
TC_{DSM}	Total Cost of DSM programme	It includes all costs such as design and development of programme, purchase and installation of efficient appliance, monitoring and reporting, E, M&V, etc. associated with a particular DSM programme.
N	Life of the Programme	Life of the programme
ES_k	Total Energy Saved during life of Programme (Units)	Savings in quantum of energy due to implementation of DSM programme
d_{DL}	Discount rate for the Distribution Licensee	

(2) Criteria for Assessment of DSM Programme from the Perspective of Investing Consumers:-

“Cost of Conserved Energy” (CCE) shall be used to assess the cost effectiveness of DSM programme from the point of view of the participating consumers investing in the programme. CCE shall be the annualised incremental cost of investment in efficient option divided by annual energy saved due to adoption of efficient option. The formula used for calculating cost of conserved energy is:-

$$CCE = \frac{(PVC_{EE} \times CRF_{EE}) - (PVC_{IE} \times CRF_{IE})}{\text{Annual Energy Saved in kWh}}$$

Where,

$$PVC = \sum_{k=0}^n \frac{c_k}{(1 + d_c)^k}$$

$$CRF = \frac{[d_c(1 + d_c)^n]}{[(1 + d_c)^n - 1]}$$

The capital recovery factor enables the determination of the annualized value equivalent to the initial investment. The CRF is dependent on the equipment life ‘n’ and the discount rate ‘d’.

Parameter	Definition
PVC_{EE}	Present value of costs of efficient option
PVC_{IE}	Present value of costs of inefficient option
CRF_{EE}	Capital recovery factor for efficient option
CRF_{IE}	Capital recovery factor for inefficient option
c_k	Cost of the option borne by consumer in kth year
N	Life of the option
d_c	Discount rate for the consumer

If Average Tariff of the target consumer category > CCE, DSM programme is viable from the point of the participating consumers who is also investing in the Programme.

Where Average Tariff shall be the average cost of supply of the target consumer category in the year of implementation of the DSM programme.

1.8 CRITERIA FOR APPROVAL OF DSM PROGRAMME COSTS & GENERAL COSTS**(1) Criteria for Approval of DSM Programme Costs**

The criteria for approval of DSM programme shall depend on the categorisation of the DSM programme. The Distribution Licensee shall place the proposed DSM programmes in one of the five category types specified in section 1.6 of this Guidelines. The criteria for five types of DSM programmes shall be as given below:-

(a) Type 1: DSM Programme Costs to be borne by Distribution Licensee

In Type 1 DSM programmes, all the costs related to DSM programme shall be borne by the Distribution Licensee. The Commission shall approve the programme costs for Type 1 DSM programme if:-

- CEI should be greater than one; and
- Total cost of implementation of DSM programme per unit of energy saved should be less than marginal cost of power procurement by the Distribution Licensee in the year of implementation of the DSM programme;

In case limited resources available with the Distribution Licensee, programmes with higher CEI should be given priority over those programmes with lower CEI.

(b) Type 2: DSM Programme Costs to be borne by Consumers

In Type 2 DSM programmes, all the costs related to DSM programme shall be borne by the consumers only. The Commission shall approve the programme costs for Type 2 DSM programme if:-

- CCE should be less than average tariff paid by that particular consumer category;
- Total cost of implementation of DSM programme per unit of energy saved should be less than marginal cost of power procurement by the Distribution Licensee in the year of implementation of the DSM programme;

In case of multiple programmes satisfying above criteria and limited resources available with Distribution Licensee, those DSM programmes with bigger difference between CCE and Average Tariff should be given priority.

(c) Type 3: Partial Sharing of DSM Programme Costs between Distribution Licensee and Consumers

In Type 3 DSM programmes, all the costs related to DSM programme shall be shared between the Distribution Licensee and consumers. Distribution Licensee shall have to perform all three tests such as CEI, CCE and Demand vs. Supply Side Options to assess the cost effectiveness of the programmes. The Commission shall consider the proposed DSM programme as cost effective and approve the programme costs for Type 3 DSM programme if:-

- Proposed DSM programme shall satisfy all three criteria;
- CEI should be greater than one;
- CCE should be less than average tariff paid by that particular consumer category; and
- Total cost of DSM programme per unit of energy saved should be less than marginal cost of power procurement by the Distribution Licensee in the year of implementation of the DSM programme;

In case of multiple programmes satisfying all criterion and limited resources available with Distribution Licensee, those DSM programmes with bigger difference between CCE and Average Tariff should be given priority.

(d) Type 4: DSM Programme Costs to be borne by Government/Funding Agency and Distribution Licensee

In case of Type 4 DSM programmes, all the costs related to DSM programme shall be shared between the Government/funding agency and Distribution Licensee. Also, the regulatory approval shall be required only for the costs proposed to be incurred by the Distribution Licensee, irrespective of the cost incurred by the Government of any other funding agency. Similar to Type 1 DSM programmes, the Commission shall consider the proposed DSM programme as cost effective and approve the programme costs if:-

- CEI should be greater than one;
- Total cost of DSM programme per unit of energy saved should be less than marginal cost of power procurement by the Distribution Licensee in the year of implementation of the DSM programme;

(e) Type 5: DSM Programme Costs to be borne by Government/Funding Agency and Consumers

In case of Type 5 DSM programmes, all the costs related to DSM programme shall be shared between the Government/funding agency and consumers. In case of Type 5 DSM programmes, the

regulatory approval shall be required only for the costs proposed to be incurred by the consumer, irrespective of the cost incurred by the Government of any other funding agency. Similar to Type 2 DSM programmes, the Commission shall consider the proposed DSM programme as cost effective and approve the programme costs if:-

- CCE should be less than average tariff paid by that particular consumer category; and
- Total cost of implementation of DSM programme per unit of energy saved should be less than marginal cost of power procurement by the Distribution Licensee in the year of implementation of the DSM programme;

(2) Criteria for Approval of General Costs

The Commission shall allocate up to 0.5% of the Annual Revenue Requirement (ARR) as DSM budget every year. This budget shall be available to the Distribution Licensee for recovering both Programme Cost and General Cost. The Commission shall allocate certain percentage of the total DSM budget every year for recovery of General Costs. The General Cost for DSM programmes shall be limited to 10% of total DSM budget, however, the Commission on merits of the case may consider specific programme and relax the limit of General Cost for such specific programme. The Distribution Licensee shall submit the expenditure incurred for general activities through its ARR. The Commission would approve the general costs while approving ARR after application of standard prudence principles.

1.9 CRITERIA FOR INDICATIVE ASSESSMENT OF DSM PROGRAMMES

The Distribution Licensee shall formulate and submit to the Commission a perspective DSM Plan covering period of the DSM control period within six months of the beginning of every control period. The Plan document shall include the indicate cost effectiveness assessment of proposed DSM programmes developed under these Guidelines.

The Distribution Licensee shall use CEI and CCE for indicative assessment of the DSM programmes. The cost effectiveness numbers shall be presented on the basis of design numbers. Distribution Licensee shall provide detailed justification to the Commission based on the technical studies and other studies at the time of DSM programme approval stage.

1.10 REGULATORY PROCESS FOR APPROVAL OF DSM PROGRAMMES

The Commission shall follow these Guidelines for approval of DSM programme Document submitted to it on the basis of the cost effectiveness of the DSM programmes.

The Commission may call for clarification, additional information and data as necessary. The Distribution Licensee shall furnish any additional information within fifteen days or with such longer period as the Commission may allow which shall in no case be more than two months from the date of first submission. The Commission shall evaluate revised Programme Document submitted by the Distribution Licensee and accord approval to the Programme Document after taking into consideration clarifications/additional information provided by the Distribution Licensee.

1.11 MISCELLANEOUS

The Commission may, at any time add, vary, alter, modify or amend any provisions of these Guidelines.

- (a) **Powers to remove difficulty:-** If any difficulty arises in giving effect to the provisions of these Guidelines, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.
- (b) **Powers to give directions:-** The Commission may, from time to time, issue amendments and practice directions as considered appropriate to ensure implementation of the Guidelines and procedures to be followed.
- (c) **Powers to relax:-** The Commission may by general or special order, for reasons to be recorded in writing, may relax any of the provisions of these Guidelines on its own motion or on an application made before it by an interested person.
- (d) All disputes arising under these Guidelines shall be decided by the Commission based on an application made by the person aggrieved in accordance with the HERC (Conduct of Business) Regulations, 2004 read with amendment thereof.

By orders of the Commission

(Sd)....,

Director/Tariff,

Haryana Electricity Regulatory Commission.

HARYANA ELECTRICITY REGULATORY COMMISSION

Notification

The 29th July, 2016

Regulation No. HERC/37/2016.— In exercise of the powers conferred on it by Section 181 read with sub-sections (5) to (8) of Section 42 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, the Haryana Electricity Regulatory Commission hereby makes the following Regulations.

CHAPTER 1: SHORT TITLE, COMMENCEMENT, DEFINITIONS AND INTERPRETATIONS**Short Title and Commencement**

- 1.1 These Regulations may be called the Haryana Electricity Regulatory Commission (Guidelines for establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer Advocacy) Regulations, 2016.
- 1.2 These Regulations shall be applicable to all the Distribution & Retail Supply licensees in the State of Haryana in their respective licensed areas.
- 1.3 These Regulations shall come into force from the date of their notification in the Official Gazette of Haryana.
- 1.4 These Regulations shall be construed harmoniously with the standards of performance of the distribution licensees and the Electricity Supply Code specified by the Commission under the provisions of Clauses (x) and (za) of sub-section (2) of Section 181 of the Act. In case of any inconsistency with these Regulations, the standards of performance of the distribution licensees and the Electricity Supply Code shall prevail.
- 1.5 The Punjab General Clauses Act, 1898 (1 of 1898), as applicable to the State of Haryana shall apply to the interpretation of these Regulations.

Definitions

- 1.6 In these Regulations, unless the context otherwise requires:
 - (a) **"Act"** means the Electricity Act, 2003 (No. 36 of 2003) and its amendments;
 - (b) **"Applicable legal framework"** means the provision of the Haryana Electricity Reform Act, 1997 (10 of 1998) to the extent not inconsistent with the provisions of the Electricity Act, 2003 (36 of 2003) read with applicable provisions of the Electricity Act, 2003;
 - (c) **"Area of Supply"** means the area within which a distribution Licensee is permitted by his Licence to supply electricity;
 - (d) **"Chairperson"** means the Chairperson of the Forum;
 - (e) **"Member"** means the member of the Forum and includes the Chairperson of the Forum;
 - (f) **"Nodal Officer"** means the convener designate by the Distribution Licensee who would coordinate with the Forum/Ombudsman/Commission;
 - (g) **"Commission"** means the Haryana Electricity Regulatory Commission;
 - (h) **"State Government"** means the State Government of Haryana;
 - (i) **"Complainant"** means and includes the following who have a grievance as defined in these Regulations:
 - (i) A consumer as defined under Clause (15) of Section 2 of the Act;
Provided that a member of the Group Housing Society having "Single Point Connection" from the licensee" is also a deemed consumer for the purpose of this Regulation.
 - (ii) A disconnected Consumer
 - (iii) An applicant for a new electricity connection/modification in existing connection;
 - (iv) Any registered consumer association having "Single Point Connection";
 - (v) Any unregistered association or group of consumers, where the consumers have common or similar interests; and
 - (vi) In the case of the death of a consumer, his legal heir(s) or representative(s).
 - (j) **"Electricity Ombudsman"** means an authority appointed or designated by the Commission, under sub-section (6) of Section 42 of the Act.

- (k) **“Electricity Service”** means the electricity supply, metering, billing, maintenance of distribution system and all other attendant sub services etc.;
- (l) **“Grievance”** means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which has been undertaken to be performed by a distribution licensee in pursuance of a licence, contract, agreement or under the Electricity Supply Code or in relation to standards of performance of distribution licensees as specified by the Commission and includes billing disputes of any nature and matters related to safety of the distribution system having potential of endangering of life or property.
- (m) **“Forum”** means the Forum for redressal of grievances of the consumers required to be established by distribution licensees, pursuant to sub-section (5) of Section 42 of the Act and these Regulations.
- (n) **“Form”** means form appended to these regulations;
- (o) **“Licensee”** means a Distribution & Retail Supply licensee and shall include (1) Dakshin Haryana Bijli Vitran Nigam Ltd and (2) Uttar Haryana Bijli Vitran Nigam Ltd.
- (p) **“Representation”** shall mean the representation made to the Ombudsman by the complainant in person or on behalf of such a complainant who is aggrieved by the outcome of the Forum’s proceedings in respect of his/her grievance (including not issuing the order within the specified time-limit, dissatisfaction with the order issued, partial or full dismissal of the grievance).

Note: - Any reference to Regulations without any qualification shall be construed as reference to these Regulations.

Interpretations

1.7 In interpretation of these Regulations, unless the context otherwise requires:

- (1) Words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
- (2) References to any statutes, regulations or guidelines shall be construed as including all their amendments as affected from time to time and statutory re-enactments thereof;
- (3) Terms "include" or "including" shall be deemed to be followed by "without limitation" or "but not limited to" regardless of whether such terms are followed by such phrases or words of like import.
- (4) Words and expressions used and not defined in these Regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER 2: CONSUMER GRIEVANCES REDRESSAL FORUM (CGRF)**Number, Locations and Sitings**

- 2.1 In terms of subsection (5) of Section 42 of the Act, every distribution licensee shall, within six months from the appointed date or date of grant of license, whichever is earlier, establish one or more forum(s) for redressal of grievances of Consumers in accordance with these regulations.
- 2.2 The number of forums, their locations and areas of jurisdiction may be decided by the licensee.
- 2.3 While deciding the number of Forums, the licensee shall ensure that adequate 'number of Forums' are established such that Members of a Forum are able to conduct at least one sitting each week and all grievances are redressed within the time-limit specified under these Regulations. The Forum shall ensure that it considers all matters especially with respect to grievances related to non-supply, connection and disconnection even if it receives them through letters. The Forum shall also decide the location for the hearings when there is a single Forum for two or more revenue Districts. This shall ensure the timely settlement of the grievances related to non-supply, connection and disconnection.
- 2.4 In order to ensure that all grievances are disposed of within the specified time limit, the Commission may, from time to time, require the licensee to increase the number of Forums.

Appointment and Removal of Members

- 2.5 Each forum shall consist of one Chairperson and two Members. The Chairperson would be a technical person, one Member would be a person from finance/accounts, and another would be an independent Member. The Chairperson and Member shall be appointed by the licensee while the independent Member shall be appointed by the Commission.
- 2.6 The Licensee shall provide details regarding appointment of the Chairperson and Members to the Commission within one week of appointing them.
- 2.7 The Chairperson/ Members shall be a person of ability, integrity and standing and has to be selected meeting the following criteria:
 - (a) Chairperson: The person shall be an officer of the licensee possessing a degree in Electrical/Mechanical Engineering with Ist Division and having at least 15 years experience in distribution and is of the rank of at least Superintending Engineer and above.
 - (b) Member: The person shall be an officer of the licensee possessing post Graduate degree with Ist Division in Commerce/Chartered Accountant/ ICWA/MBA (Finance)/LL.B. with at least 15 years of experience in licensee's Accounts or Finance or Audit Wing or Legal Wing and holding a post equivalent to Superintending Engineer.
 - (c) Independent Member: The person shall be a person of ability, integrity and standing with degree in Law with first Division or LLB (Hons) with 2nd Division, Income Tax payer for last five years and having 7 years Advocate experience out of which adequate number of cases that prove his knowledge of 'Advocacy of Electricity matters/Consumer Affairs'. The condition of 'First Division' can be relaxed for candidates having 20 years' or more experience. In addition, he should have studied upto 10+2 level any of the subjects out of Commerce/Economics/ Science.

Or

The person shall be a person of ability, integrity and standing having graduated with Ist Division and a representative of a registered society/ NGO/consumer organization having one of the objectives as consumer protection with atleast 10 years of standing or alternatively the representing member should have 15 years experience in consumer related matters. In addition, he should have studied upto 10+2 level any of the subjects out of Commerce/ Economics/Science.

Provided that, a person applying for the post of Independent Member of the Forum shall not have been in the employment in any capacity under, or agency of, the Distribution Licensee for a minimum period of three years prior to being appointed Independent Member of the Forum.

- 2.8 The Independent Member shall be selected through proper advertisement in the press and website by the Commission. The age of the person to be considered for appointment shall not be more than 62 years. Their tenure of three years, which may be extended by the Commission, for a further period not exceeding one year. Provided that he shall not hold office after he has attained the age of sixty five years.

Undertaking: The person appointed as Independent Member shall furnish an undertaking before joining to the effect that:-

- (i) No criminal case is pending against him;
- (ii) No charge sheet has been filed against him in any competent court relating to any crime.
- (iii) He has not been convicted for any such offence by any competent court.

Medical Examination: The selected person shall have to get his Medical Examination conducted from Civil Surgeon concerned before joining the duties.

- 2.9 The Chairperson/Member of the forum to be appointed by the Licensee, shall hold office for a fixed term of three years which may be extended for a further period not exceeding one year. Provided that he shall not hold office after he has attained the age of superannuation.
- 2.10 The Chairperson and Member should be selected by the Licensee by inviting applications through an internal circular and on its website.
- 2.11 A selection committee headed by Managing Director, Distribution Company and its two Directors shall select the person.
- 2.12 No person shall be eligible for re-appointment as Chairperson or Member.
- 2.13 All three members shall work full-time.
- 2.14 No person shall be appointed and/or be entitled to continue as a Chairperson/ Member if he/ she stands disqualified on account of his/ her:
 - (a) Having been adjudged an insolvent;
 - (b) Having been convicted of an offence which, in the opinion of the licensee, involves moral turpitude;
 - (c) Having become physically or mentally incapable of acting as such a member;
 - (d) Having acquired such financial or other interest as is likely to affect prejudicially his/ her functions as a member;
 - (e) Having so abused his/ her position as to render his/ her continuance in office prejudicial to public interest; or
 - (f) Having been guilty of proven misbehavior.
 - (g) Having joined or accepted any other gainful post/position.
- 2.15 An existing Chairperson/ Member shall be liable to be removed from his office forthwith on account of any of the aforesaid disqualifications arising or being discovered.

Provided that no Chairperson/ Member shall be removed from his/ her office on any ground specified in the aforesaid sub-clauses unless the licensee has held an independent inquiry.

- 2.16 The licensee/ Commission on their respective part shall ensure that no post of a Chairperson/ Member in the Forum remains vacant for a period exceeding thirty days.
- 2.17 The appropriate authority shall, within one month from the date of occurrence of any vacancy by reason of death, resignation or removal of the Chairperson or a Member and six months before the superannuation or end of the tenure of the Chairperson or Member, initiate the action for filling up of the vacancy.

Remuneration and other expenses

- 2.18 The terms and conditions of service of a Chairperson/ Member of the forum, who is in the employment of the licensee, shall be governed by the terms and conditions of his/her employment with such a licensee. Thus, the Chairperson/ Member shall continue to draw the same salary as he/ she is entitled to as a regular employee of the licensee.
- 2.19 The remuneration of the Independent Member shall be as decided by the Commission before advertisement of the post and shall be increased at the rate of 10% per annum during the tenure.
- 2.20 The office space, secretarial support, and other facilities required for smooth functioning of the Forum shall be provided by the licensee.
- 2.21 The licensee shall meet all the costs and expenses of the forum including the cost of establishment and staff required to assist the Forum in the discharge of its functions under these Regulations. The expenditure on the Forum(s) will be considered in the revenue requirement of the licensee and will be allowed as a pass-through expense.

Procedural matters

- 2.22 The quorum for any meeting or proceedings of the forum shall be two and each member shall have one vote. In case of equality of votes on any issue, the Chairperson, or in his absence the person presiding, shall have second or casting vote. Provided further that the critical issues may be dealt by the Forum with all Members present.
- 2.23 The Chairperson shall have the general powers of superintendence and control over the Forum.
- 2.24 All decisions of the Forum shall, as far as possible, be unanimous or on the basis of decision taken by the majority of Members present.
- 2.25 No act or proceeding of the Forum shall be deemed to be invalid by reason only of some defect in the constitution of the Forum or by reason of the existence of a vacancy among its members.
- 2.26 The Forum shall comply with such general directions as the Commission may issue from time to time in the interest of efficient and effective redressal of grievances in a timely and expeditious manner.
- 2.27 The licensee shall from time to time give due publicity about the Forum and its charter through advertisement in widely circulated local newspapers and in such other manner as it considers appropriate and as the Commission may direct, from time to time. The names of the Chairperson/ Members of the Forum, their addresses and phone numbers shall be displayed prominently at all the offices of the licensee which has interface with consumers and shall also be duly published on the electricity bills of the consumers.

Reporting Requirements

- 2.28 The Forum shall submit a quarterly report on disposal of grievances to the licensee, the Commission, and Ombudsman. The report shall be submitted within 15 days of the close of the quarter to which it relates.
- The report shall be followed with a meeting between the Ombudsman and the Forum, within ten days of the submission of the report, on a date to be decided by the Ombudsman.
- 2.29 The quarterly report shall be submitted in accordance with the format as specified in Annexure-6.
- 2.30 The Forum shall also furnish a yearly report containing a general review of the activities of the Forum during the financial year to the licensee, Commission and Ombudsman. The report should be submitted within 45 days of the close of the financial year to which it relates.
- 2.31 The Forum shall attend the half-yearly meeting between the Commission and the Ombudsman, to be held within twenty days of the quarterly meeting between the Ombudsman and the Forum, on a date to be decided by the Commission. Provided further that the Forum shall put the grievance related information in the public domain from time to time if so desired by the Commission to monitor the functioning of CGRF.

Presence of grievance handling mechanisms preceding the Forum

- 2.32 For expeditious resolution of the complaints of a Complainant, any mechanism existing within the licensee, other than the Forum established under these Regulations, may be retained. The creation of the Forum shall not debar a Complainant from settling his/ her complaints through such internal mechanisms.

Provided that the Complainant shall have the right to approach the Forum directly in respect of matters falling under the jurisdiction of the Forum.

Classification of grievances

- 2.33 As far as is possible and practical, the grievance shall be prioritized for redressal based on the following priority order:-
- (a) Non-Supply
 - (b) Connection – Release of new Connection or modification in existing connection
 - (c) Disconnection of supply/ Re-connection of supply after Disconnection
 - (d) Meter related issues
 - (e) Billing and related issues
 - (f) Other issues

Provided that it should be ensured that all grievances are disposed of within the time limit specified under these Regulations.

Process for submission of grievance

- 2.34 The Complainant can submit his/ her grievance to the appropriate Forum under whose jurisdiction his/ her connection exists or a connection has been applied for. The Complainant can also submit his/ her grievance at the nearest complaint-receiving centre, already established by the licensee. The grievance may be submitted either in person or through post, or email or fax.
- 2.35 All complaint-receiving centers shall accept the grievances from Complainants falling within the jurisdiction of the Forum. The grievance so received along with other supporting documents shall be forwarded to the Forum within the next two working days.
- 2.36 The grievance shall be submitted as per the format specified in Annexure-1 and Annexure-2 respectively for Dakshin Haryana Bijli Vitran Nigam Ltd and Uttar Haryana Bijli Vitran Nigam Ltd. The Complainant can nominate any person (not necessarily to be an Advocate) to present his case on the prescribed format which is at Annexure-3. Nomination can be filed at any time before or on the date of hearing.

Provided that the Forum shall take cognizance of any grievance submitted based on the merit of the case and will not reject any grievance for the sole reason of it not having been submitted in the format specified.

- 2.37 The Complainant shall be issued acknowledgement of the receipt of grievance by the complaint-receiving centre. In case of submission of the grievance in person, the acknowledgment shall be issued immediately. In case of receipt of grievance by post, email or fax, the acknowledgment shall be despatched latest by the next working day. In case of issuance of acknowledgment by a complaint-receiving centre, the contact details of the relevant Forum shall also be issued along with the acknowledgment.

Limitations/ pre-conditions for submission of grievance

- 2.38 On receipt of a complaint, the Forum may by order allow the complaint to be proceeded with or rejected:

Provided that the complainant shall be informed in writing giving reasons if the complaint is rejected.

Provided further that a complaint shall not be rejected unless an opportunity of being heard has been given to the complainant.

Provided further that the admissibility of the complaint shall ordinarily be decided within fifteen days from the date on which the complaint was received.

- 2.39 The Forum may reject the grievance at any stage under the following circumstances:
- (a) In cases where proceedings in respect of the same matter and between the same Complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority;
 - (b) In cases which fall under Sections 126, 127, 135 to 139, 152, and 161 of the Act;
 - (c) In cases where the grievance has been submitted one year after the date on which the cause of action has arisen; and
 - (d) In the case of grievances which are:
 - (i) frivolous, vexatious, malafide;
 - (ii) without any sufficient cause; or
 - (iii) where there is no prima facie loss or damage or inconvenience caused to the Complainant or the consumers who are represented by an association or group of consumers.

Provided that no grievance shall be rejected unless the Complainant has been given an opportunity of being heard.

- (e) The grievance pertaining to other Forum of Haryana shall be sent to the Appropriate Forum under intimation to the complainant.
- 2.40 Where a complaint is allowed to be proceeded with, under Regulation 2.35, the Forum may proceed with the complaint in the manner provided under these regulations.

Process

- 2.41 The Forum shall forward a copy of the grievance to the concerned officer of the licensee or the employee/employees/department named in the grievance ("respondent party").

- 2.42 The respondent party shall, if possible resolve the grievance to the extent it can and then furnish 'Action Taken Report' and/or paragraph-wise comments to the Forum on the grievance within five days (grievance related to non-supply, connection or disconnection of supply) or 15 days (all other grievances) of the receipt of the grievance copy, failing which the Forum shall proceed on the basis of the material available on record.
- 2.43 The Forum may call for any record from the respondent party or from the Complainant as is relevant for examination and disposal of the grievance, and both the parties shall be under obligation to provide such information, document or record as the Forum may call for. Where a party fails to furnish such information, document or record and the Forum is satisfied that the party in possession of the record is withholding it deliberately, it may draw an inference adverse to that party.
- 2.44 The Forum may also direct the Licensee to undertake an inspection or engage a third party to undertake such inspection with regard to the Grievance, as may be required for expeditious redressal of the grievance. The Forum can also engage a third party (other than the licensee) at the instance and request of the Complainant, to undertake inspection and obtain an independent report. The Forum shall record the reasons for the need for such third-party inspection, which should generally be resorted to rarely and keeping in view the special circumstances of a case. The expenses of such third-party inspection, except expenses of inspection at the request of the Complainant, shall be borne by the licensee, and to the extent reasonable and justifiable. Such expenses shall be allowed as pass through expense in the determination of tariff in accordance with the relevant Regulations of the Commission. In case inspection is taken up at the request of the Complainant, the expenses shall be deposited in advance by him, which may or may not be refunded by the Forum depending on whether the grievance is found to be of substance or not.
- 2.45 The Forum may call the concerned officer of the Licensee for discussion in suitable cases, in order to seek redressal of the grievance filed before it. In case the matter is settled in discussion, it may be recorded as a decision and conveyed to the Complainant and the Licensee by order of the Forum.
- 2.46 In case the Forum comes to the conclusion that the Complainant and the concerned officer of the Licensee are required to be heard for redressal of the grievance, the Forum shall call the Complainant and the concerned officer with the details of the case and documents, if any, as may be necessary.
- 2.47 A Complainant, distribution licensee or any other person who is a party to any proceedings before the Forum may either appear in person or authorise any person not necessarily an Advocate (within the meaning of the Advocates Act, 1961) to present his/ her case before the Forum and to do all or any of the acts for the purpose.
- 2.48 Where the Complainant or the Licensee or their representative fails to appear before the Forum on the date fixed for hearing on more than two occasions, the Forum may decide the grievance ex-parte.
- 2.49 No adjournment shall ordinarily be granted by the Forum unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Forum.
- 2.50 The Forum shall be guided by the principles of natural justice, and subject to the other provisions of these Regulations, the Forum shall have powers to regulate its own procedure.

Issue of Order

- 2.51 On receipt of the comments from the Licensee or otherwise and after conducting or having such inquiry or local inspection conducted as the Forum may consider necessary, and after affording reasonable opportunity of being heard to the parties, the Forum shall take a decision by a majority of votes of the members of the Forum present and in the event of equality of votes, the chairperson, or in his absence the person presiding, shall have a second or casting vote.
- 2.52 If, after the completion of the proceedings, the Forum is satisfied after voting that any of the allegations contained in the grievance are correct, it shall issue an order to the Distribution Licensee directing it to do one or more of the following things in a time-bound manner, namely:
- (a) Remove the cause of grievance in question;
 - (b) Return to the Complainant the undue charges paid by the Complainant along with the interest. The interest rate may be fixed as the rate paid by the State Bank of India for a fixed deposit of duration nearest to the period for which the undue charges were withheld by the licensee; and
 - (c) Any other order deemed appropriate in the facts and circumstances of the case.
- 2.53 The proceedings and decisions of the Forum shall be recorded and shall be supported by reasons. Every order passed by the Forum shall be a speaking order signed by its Chairperson and the Members conducting the proceeding. Where the members differ on any point or points, the opinion of the majority shall be the Order of

the Forum. The opinion of the minority shall however, be recorded and form part of the Order. Even the rejection of the complaint should be through order of the Forum.

- 2.54 In case of grievances related to non-supply, connection or disconnection of supply, the Forum shall pass the order within 30 days of filing of the grievance and in case of other grievances, the order shall be passed within 90 days of filing of the grievance:

Provided that each order shall specify the period in which the grievance has to be addressed by the Respondent.

Provided also that in the event of grievance being disposed of after the maximum period specified above, the Forum should record in writing, the reasons for the same at the time of disposing the said grievance and inform the Ombudsman.

- 2.55 The order of the Forum shall be communicated to the complainant and licensee in writing within three days of the final hearing. A certified copy of every order passed by the forum shall be delivered to the parties.
- 2.56 The Licensee shall comply with the order of the Forum within 21 days from the date of receipt of the order. In appropriate cases, considering the nature of the case, the Forum, upon the request of the Licensee, may extend the period for compliance of its order up to a maximum of three months. Non-compliance of the order of the Forum shall be treated as violation of the Regulations of the Commission and Distribution Utilities may be penalized in case of any deviations observed from the regulations and accordingly liable for action under Section 142 of the Act.
- 2.57 The concerned officer of the Licensee shall furnish a compliance report of the order of the Forum within seven days from the date of compliance, to the Forum and to the Complainant. The Forum shall keep a record of the compliance of its orders and review the same every month. In case of non-compliance of its orders, the Forum shall take up the matter with the higher authorities of the licensee for compliance. If even after that the order is not complied with, the Forum shall inform the Commission regarding such non-compliance.

Special provisions: Interim Order and Escalation mechanism

- 2.58 Upon request of the Complainant, the Forum may issue such interim orders pending final disposal of the grievance as it may consider necessary.

Provided that the Forum shall have the powers to pass such an interim order in any proceeding, hearing or matter before it, as it may consider appropriate if the Complainant satisfies the Forum that prima facie, the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made thereunder or any order of the Commission, provided that the Forum has jurisdiction on such matters.

Provided further that, except where it appears that the object of passing the interim order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard.

- 2.59 A Complainant may prefer a representation before the Ombudsman appointed/ designated by the Commission under the following two circumstances:
- (a) If the Complainant is aggrieved by the non-redressal of the grievance by the Forum within the period specified, and
 - (b) If the Complainant is aggrieved with the order passed by the Forum.
- 2.60 Such a representation may be made within a period of 30 days after grant of order by the Forum or expiration of 30 days after the time limit specified for issuance of the order, whichever is applicable.
- 2.61 The Forum may settle any grievance in terms of an agreement reached between the parties at any stage of the proceedings before it and there shall be no right of representation before the Ombudsman against such an order.

CHAPTER 3: ELECTRICITY OMBUDSMAN**Qualifications, terms of appointment and removal of Ombudsman**

- 3.1. In accordance with subsection (6) of Section 42 of the Act, the Commission may, from time to time, appoint or designate a person as the Ombudsman to discharge the functions in accordance with subsection (7) of Section 42 of the Act.
- 3.2. The Commission may appoint or designate more than one Ombudsman for a licensee or a common Ombudsman or Ombudsmen for two or more licensees considering factors such as the number of representations received, disposal of representations within the specified time limit, ease of access for the consumer and the geographical area.
- 3.3. The Commission shall invite applications through public advertisement for the appointment of the Ombudsman. The Commission may form a Search Committee for recommending names for the appointment of the Ombudsman by the Commission.
- 3.4. Qualifications for the Electricity Ombudsman.
 - 3.4.1 The Electricity Ombudsman appointed/designated should be an Electrical/Mechanical Engineer with ability, integrity and standing, conversant with the working of the Power Utility/State Electricity Regulatory Commission and enjoying a high reputation and that;
 - (a) Retired District Judge; or
 - (b) Retired Secretary to the State Government with minimum 3 years experience in power sector; or
 - (c) Any person who has held the position of a member or chairperson of any statutory quasi-judicial body including CGRF(Electricity Sector) at the State level for at least three years; or
 - (d) Any person who has held the position of a Chief Engineer and above in the Power Utility of the State having 15 years experience in the Power Sector; or
 - (e) Any person who has held the position of Director or equivalent in the State Electricity Regulatory Commissions and is having 15 years of experience in the Power Sector;

Provided that the Commission may appoint any person as the Chairperson from amongst person who is or has been a District Judge of the Haryana. Provided that no appointment under this Section shall be made except after consultation with the Chairman of the Commission.
 - 3.4.2 The maximum age of the person to be considered for appointment, as Electricity Ombudsman shall be not more than 62 years at the time of appointment.
 - 3.4.3 The appointment of Electricity Ombudsman under this clause may be made for a period not exceeding three years subject to an age limit of 65 years.
- 3.5 The number of post of the Electricity Ombudsman, officers and staff of the office of Electricity Ombudsman, their qualifying requirements, pay scales and terms and conditions of service shall be as specified under Regulations called as the Haryana Electricity Regulatory Commission (Terms and Conditions of Service of the Electricity Ombudsman and the officers and the staff of the office of the Electricity Ombudsman) Regulations, 2004 including its amendments or its re-enactment.
- 3.6. The Commission shall have the powers to remove the Ombudsman from office only if he /she has:
 - (a) Been adjudged an insolvent;
 - (b) Been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;
 - (c) Become physically or mentally incapable of acting as an Ombudsman;
 - (d) Acquired such financial or other interest as is likely to affect prejudicially his/ her functions as an Ombudsman;
 - (e) Abused his/ her position so as to render his/ her continuance in office prejudicial to public interest; or
 - (f) Been guilty of proven misbehaviour

Provided that the Ombudsman shall not be removed from his/ her office on any ground specified in the aforesaid sub-clauses unless the Commission has, on an inquiry, concluded that the person ought, on such ground or grounds, be removed.

Undertaking: The person appointed as Ombudsman shall furnish an undertaking before joining to the effect that:-

- (i) No criminal case is pending against him;
- (ii) No charge-sheet has been filed against him in any competent court relating to any crime.
- (iii) He has not been convicted for any such offence by any competent court.

Medical Examination: The selected person shall have to get his Medical Examination conducted from Civil Surgeon, concerned before joining the duties.

Office of the Ombudsman

- 3.7 The Ombudsman's office/ offices shall be preferably located in the capital city of the state or any district headquarters as the case may be. However, the Ombudsman may hold hearings or proceedings at various places within the state in order to expedite the disposal of representations received before him/ her.
- 3.8 The post of Ombudsman shall be a full-time post.
- 3.9 The Commission shall provide the Ombudsman with a Secretariat. The staff strength of the said Secretariat and terms and conditions of appointment of the staff shall be determined by the Commission from time to time.
- 3.10. All expenses of the Ombudsman's office including that of the Secretariat shall be borne by the Commission.
- 3.11. The name, location, email address and telephone numbers of the Ombudsmen shall be widely publicized through newspapers, and displayed on the websites and the offices of the licensees and the Commission and intimated to consumers through electricity bills by the licensee. They may also be publicized through radio and television.

Reporting Requirements

- 3.12 The Ombudsman shall submit to the Commission a half-yearly report on all the representations filed before it during the period. The report should be submitted within 30 days of the close of the period to which it relates. The report shall be submitted in accordance with the format as specified in Annexure-7.

The report shall be followed with a meeting between the Ombudsman and the Commission, within thirty days of the submission of the report, on a date to be decided by the Commission. The meeting shall also be attended by the Forum.

- 3.13 The report shall cover:
 - (a) Facts of the representation,
 - (b) Responses of parties in brief,
 - (c) Opinion of the Ombudsman on the compliance of standards of performance by the licensee,
 - (d) Key directions issued to licensee and/ or consumer in the order,
 - (e) Compliance of order by licensee and/ or consumer.
- 3.14 The Ombudsman shall also furnish a yearly report containing a general review of the activities of the Ombudsman's office during the financial year to the State Commission and the State Government. The report should be submitted within 45 days of the close of the financial year to which it relates.
- 3.15 The Ombudsman, as a special invitee, shall also attend each meeting of the State Advisory Committee constituted by the Commission.
- 3.16 Pre-conditions/Limitations for entertaining Complainant's representation.

The representation may be entertained by the Ombudsman only if all of the following conditions are satisfied:

- (a) It has been filed by the Complainant being the aggrieved consumer or the association representing the consumers. For avoidance of doubt, a licensee is not allowed to file a representation before the Ombudsman against the order of the Forum.
- (b) The Complainant had, before making a representation to the Ombudsman, approached the Forum constituted under Section 42(5) of the Electricity Act, 2003 for redressal of his/ her grievance.
- (c) The representation by the Complainant, in respect of the same grievance, is not pending in any proceedings before any court, tribunal or arbitrator or any other authority; a decree or award or a final

order has not been passed by any such court, tribunal, arbitrator or authority.

- (d) The representation is not in respect of the same cause of action which was settled or dealt with on merits by the Ombudsman in any previous proceedings whether or not received from the same complainant or along with one or more complainants or one or more of the parties concerned with the cause of action.
- (e) The Complainant is not satisfied with the redressal of his/ her grievance by the Forum or the Forum has rejected the grievance or has not passed the order within the time-limit specified.

The Complainant has filed the representation before the Ombudsman within 30 days from the date of receipt of the decision of the Forum or date of expiry of the period within which the Forum was required to take the decision, whichever is earlier.

Provided that the Ombudsman may entertain a representation after the expiry of the said period of thirty days if the Ombudsman is satisfied that there is sufficient cause for not filing it within that period.

3.17 Subject to the provisions of the Act and this Regulation, the Ombudsman's decision on whether the representation is fit and proper for being considered by it or not, shall be final.

3.18 The Ombudsman may reject the representation at any stage if it appears to him that the representation is:

- (a) Frivolous, vexatious, malafide;
- (b) Without any sufficient cause;
- (c) There is no prima facie loss or damage or inconvenience caused to the Complainant

Provided that the decision of the Ombudsman in this regard shall be final and binding on the Complainant.

Provided further that no representation shall be rejected in respect of sub-clauses (a), (b) and (c) unless the Complainant has been given an opportunity of being heard.

Format for submission of representation

3.19 The Representation before the Ombudsman shall be submitted as per the format specified in Annexure-4 and the Complainant can nominate any person (not necessarily to be an Advocate) to present his case on the prescribed format Annexure 5. Nomination can be filed at any time before or on the date of hearing:

Provided that the Ombudsman shall take cognizance of any grievance submitted based on the merit of the case and will not reject any grievance for the sole reason of it not having been submitted in the format specified.

Promotion of settlement by conciliation

3.20 As soon as it may be practicable to do but not later than one week from the date of receipt of the representation, the Ombudsman shall serve a notice to the concerned officer of the Licensee named in the representation along with a copy of the representation and endeavour to promote a settlement of the representation by mutual agreement between the Complainant and the Licensee through conciliation or mediation.

3.21 For the purpose of facilitating settlement of the representation, the Ombudsman may follow such procedures, as he may consider appropriate.

3.22 When a representation is settled through mediation of the Ombudsman, the Ombudsman shall make a recommendation which he thinks fair in the circumstances of the case. The copies of the recommendation shall be sent to the Complainant and the Licensee.

3.23. If the Complainant and the Licensee accept the recommendation of the Ombudsman, they will send a communication in writing within 15 days of the date of receipt of the recommendation. They will confirm their acceptance to the Ombudsman and state clearly that the settlement communicated is acceptable to them, in totality, in terms of the recommendations made by the Ombudsman, and are in full and final settlement of the representation.

3.24. The Ombudsman shall make a record of such an agreement as his/ her orders and thereafter close the case.

Hearing of representations

3.25. After registering the representation, the Ombudsman, within seven days of registration, shall call for records relating to the representation from the concerned Forum. The concerned Forum shall send the entire records

within seven days from the date of receipt of such notice, to the office of the Ombudsman.

- 3.26. The Ombudsman may require the Licensee or any of the officials, representatives or agents of the Licensee to furnish documents, books, information, data and details as may be required to decide the representation and the Licensee shall duly comply with such requirements of the Ombudsman.
- 3.27. Where the representation is not settled by agreement within a period of 30 days from the date of receipt of the representation or such extended period the Ombudsman may deem fit duly considering the overall time limit specified, the Ombudsman may determine the manner, the place, the date and the time of the hearing of the matter as he considers appropriate.
- 3.28. The Ombudsman may hear the parties and may direct the parties to submit written statements of submissions in the matter.
- 3.29. A Complainant, Distribution Licensee or any other person who is a party to any proceedings before the Ombudsman may either appear in person or authorise any person to present his/ her case before the Ombudsman and to do all or any of the acts for the purpose.
- 3.30. Where the Complainant or the Licensee or their representative fails to appear before the Ombudsman on the date fixed for hearing on more than two occasions, the Ombudsman may decide the representation ex-parte.
- 3.31. No adjournment shall ordinarily be granted by the Ombudsman unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Ombudsman.

Issue of Order

- 3.32. The Ombudsman shall pass a written order giving reasons for all his/her findings. The order shall state the nature of the reliefs to which the Complainant is entitled as per the order. A copy of the order shall be sent to the parties and also to the concerned Forum for information.
- 3.33. The Ombudsman shall pass an order as early as possible, but in any case, within 90 days from the date of receipt of the representation. Where there is delay in the disposal of a representation within the said period, the Ombudsman shall record the reasons for such delay.
- 3.34. The order passed by the Ombudsman shall set out:
 - (a) Issue-wise decisions;
 - (b) Reasons for passing the order; and
 - (c) Directions, if any, to the Distribution Licensee or Complainant, or any other order, deemed appropriate in the facts and circumstances of the case.
- 3.35. The Licensee shall duly comply with and implement the decision of the Ombudsman on the representation filed by the Complainant within 15 days of the issue of the Order.
- 3.36. Non-compliance of the Ombudsman's orders shall be deemed to be a violation of these Regulations and liable for appropriate action by the Commission under the provisions of the Electricity Act, 2003.
- 3.37. No party can file an appeal before the Commission against the order passed by the Ombudsman. However, this is without prejudice to the rights of the complainant and the licensee to seek appropriate remedy against the order passed by the Ombudsman before appropriate bodies.
- 3.38. Upon request of the Complainant, the Ombudsman may issue such interim orders at any stage during the disposal of the representation as it may consider necessary.

Provided that the Ombudsman shall have the powers to pass such an interim order in any proceeding, hearing or matter before it, as it may consider appropriate if the Complainant satisfies the Ombudsman that prima facie the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made thereunder or any order of the Commission, provided that, the Ombudsman has jurisdiction on such matters.

Provided further that, except where it appears that the object of passing the interim order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard.

- 3.39. The Ombudsman shall be guided by the principles of natural justice, and subject to the other provisions of these regulations, the Ombudsman shall have powers to regulate its own procedure.

CHAPTER 4: CONSUMER ADVOCACY

- 4.1 A Consumer Advocacy Cell may be instituted by the Commission to provide the required legal advice, support, and assistance to Complainants for representing their case before the Ombudsman.
- 4.2 Such a Cell shall be funded by the Commission.
- 4.3 The Cell may also perform additional functions as specified below:
 - (a) Half-yearly review of grievances, representations and reports submitted by the Forum and the Ombudsman in order to advise the Commission on improvements to be made in the Regulations.
 - (b) Analysis of reports submitted by the licensee with regards to levels of performance achieved on performance standards specified under Section 57 of the Act.
 - (c) Facilitate capacity building of consumer groups and ensure their effective representation for enhancing the efficacy of regulatory processes.

CHAPTER 5: MISCELLANEOUS**5.1 POWER TO GIVE DIRECTIONS**

The Commission may from time to time issue such directions and orders as considered appropriate for implementation of these Regulations.

5.2 REMOVAL OF DIFFICULTIES

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by an order, make such provision, not inconsistent to the provisions of the Act and these Regulations, as may appear to be necessary for removing the difficulty.

5.3 POWER TO RELAX

The Commission may by general or special order, for reasons to be recorded in writing and after giving an opportunity of hearing to the parties likely to be affected, may relax any of the provisions of these Regulations.

5.4 POWER TO AMEND

The Commission may from time to time add, vary, alter, suspend, modify, amend or repeal any provisions of these Regulations after following the due process.

5.5 REPEAL

The Haryana Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers and Electricity Ombudsman) Regulations, 2004 issued *vide* Regulation No. HERC/02/2004 and notified on 12th April, 2004, including its amendments issued subsequently, are hereby repealed.

Enclosure:- Annexures – 1 to 7

By the order of the Commission

(Sd.)...,

Secretary,
Haryana Electricity Regulatory Commission.

ANNEXURE-1

GRIEVANCE SUBMISSION BEFORE FORUM

Forum For Redressal of Consumer Grievances Dakshin Haryana Bijli Vitran Nigam Ltd Block_D, Ground Floor, Vidyut Sadan, Vidyut Nagar, HISSAR-125005			
			Date/Month/Year: / /
1. Name of the Complainant Attach Copy of the latest Bill :	Copy Attached: Yes/ No		
2. Address for Communication	PIN CODE :		
Phone no.: _____	Fax no.: _____	Email id: _____	
3. Consumer no.			
5. Grievance and its Category (please tick the relevant box/boxes):			
a. Wrong billing	b. Recovery of arrears	c. Faulty Meter	d. Burnt meter
			Reconnection
d. Supply interruption	e. Harmonics in supply	f. Deficient service	g. Transfer of connection
h. Delay in providing new connection	i. Change in connected load	j. Others	
Explanation of grievance (ticked category) Please write in Detail (attached separate sheet, if required) and enclose relevant documents in support of grievance and list them:			
6. Against whom grievance is filed.	Name of the employee/office _____	Name of Department _____	
7. Relief sought from the Forum:			
8. Declaration: I /We, the Complainant/s herein declare that			
(a) the information furnished herein above is true and correct and I /We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith. (b) The subject matter of the present Grievance has never been submitted to the Forum by me/or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge. (c) The subject matter of my/our Grievance has not been settled through the Forum in any previous proceedings. (d) The subject matter of my/our Grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator.			
_____ Signature of Complainant		_____ Name of Complainant	
Fill Annexure 3: If consumer wants third Party (need not be an Advocate) to appear and/or present his case before the Forum (for nomination of by Consumer)			

ANNEXURE-2

GRIEVANCE SUBMISSION BEFORE FORUM

Forum For Redressal of Consumer Grievances Uttar Haryana Bijli Vitran Nigam Ltd Shakti Bhavan, 2nd Floor, Room No. 317, Sector-6, PANCHKULA				
Date/Month/Year: / /				
1. Name of the Complainant Attach Copy of the latest Bill :		Copy Attached: Yes/ No		
2. Address for Communication		PIN CODE :		
Phone no. _____	Fax no.: _____	Email id: _____		
3. Consumer no.				
5. Grievance and its Category (please tick the relevant box/boxes):				
a. Wrong billing	b. Recovery of arrears	c. Faulty Meter	d. Burnt meter	Reconnection
d. Supply interruption	e. Harmonics in supply	f. Deficient service	g. Transfer of connection	
h. Delay in providing new connection		i. Change in connected load	j. Others	
Explanation of grievance (ticked category) Please write in Detail (attached separate sheet, if required) and enclose relevant documents in support of grievance and list them:				
6. Against whom grievance is filed.		Name of the employee/office _____		Name of Department _____
7. Relief sought from the Forum:				
8. Declaration: I /We, the Complainant/s herein declare that (a) the information furnished herein above is true and correct and I /We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith. (b) The subject matter of the present Grievance has never been submitted to the Forum by me/or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge. (c) The subject matter of my/our Grievance has not been settled through the Forum in any previous proceedings. (d) The subject matter of my/our Grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator.				
Signature of Complainant			Name of Complainant	
Fill Annexure 3: If consumer wants third Party (need not be an Advocate) to appear and/or present his case before the Forum (for nomination of by Consumer)				

ANNEXURE-3

SUBMISSION BEFORE FORUM – Form for Nomination of third Party by the consumer	
NOMINATION OF THIRD PARTY TO FORUM FOR REDRESSAL OF GRIEVANCE	
Date of Hearing : DD/MM/YYYY	Case No. _____
1. Name of the Complainant :	
<p>NOMINATION- I/We the above named consumer hereby nominate Shri/Smt. _____, whose address is _____ _____ _____</p> <p>as my/or REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us. He/She has signed below in my presence.</p> <p>Signature of Nominee: _____ attested Signature of Applicant: _____</p> <p style="text-align: right;">Date: DD/MM/YYYY</p>	
<p>ACCEPTANCE BY THE NOMINEE – I/We the above named nominee accept the above nomination</p> <p style="text-align: right;">Signature of Nominee: _____ Date DD/MM/YYYY</p>	
(For Official use by the FORUM)	
<p>Note: The nomination has to be submitted to the Forum on or before the date of hearing. Also, the Consumer has the option to change his nomination on or before the date of hearing.</p>	

ANNEXURE-4

REPRESENTATION BEFORE OMBUDSMAN

Date/Month/Year: / /			
The Ombudsman Bays No. 33-36, Sector 4 Panchkula, HARYANA – 134112 Subject Representation against: Forum of Dakshin/Uttar Haryana Bijli Vitran Nigam Ltd (Mention Forum Order Number and Date) _____			
The details of the grievance are as under:		1. Consumer no.	
2. Name of the Complainant			
3. Address for Communication”		PIN CODE :	
Phone no.*: _____	Fax No.: _____	Email id: _____	
4. Date of Submission of the grievance by the Complainant to the Forum DD/MM/YYYY			
5. Details of the Representation, facts giving rise to the representation (if needed, attaché separate sheet):			
8. Whether the Complainant has received the final decision of the Forum ?		Yes	No
9. What amount is assessed payable by Consumer (as per decision):	Rs. _____	Nil	Not Applicable
9. Nature of Relief Sought:			
10. List of documents enclosed (Enclose three (3) copies of each Document in support of the facts)	1. Copy of Grievance to Forum* 2. Copy of Order of the Forum 3. Copy of Electricity Bill* 4. Form of Nomination (Annex)		5. _____ 6. _____ 7. _____ 8. _____
11. Declaration			
(a) I/We, the Complainants/s herein declare that: (i) The information furnished herein above is true and correct; and (ii) I/We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith. (b) The subject matter of the present representation has never been brought before the Office of the Ombudsman by me/or by any one of us by any of the parties concerned with the subject matter to the best of my/our knowledge. (c) The subject matter of my/our representation has not been settled through the Office of the Ombudsman in any previous proceedings. (d) The subject matter of the present representation has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator.			
Person making Representation	Signature	Name	

ANNEXURE-5

SUBMISSION BEFORE FORUM – Form for Nomination of third Party by the consumer NOMINATION OF THIRD PARTY TO FORUM FOR REDRESSAL OF GRIEVANCE	
Date of Hearing : DD/MM/YYYY	Case No. _____
1. Name of the Complainant :	
NOMINATION- I/We the above named consumer hereby nominate Shri/Smt. _____, whose address is _____ _____ _____ as my/or REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us. He/She has signed below in my presence. Signature of Nominee: _____ attested Signature of Applicant: _____ Date: DD/MM/YYYY	
ACCEPTANCE BY THE NOMINEE – I/We the above named nominee accept the above nomination _____ Signature of Nominee: Date _____ Date: DD/MM/YYYY	
(For Official use by the FORUM)	
Note: The nomination has to be submitted to the Forum on or before the date of hearing. Also, the Consumer has the option to change his nomination on or before the date of hearing.	

ANNEXURE-6**QUARTERLY REPORTING BY FORUM**

Quarter: ____ Financial Year ____

1. Status of Grievances for Redressal

Name of the licensee: _____

Name of the forum: _____

Sr. No.	Nature of Complaints	Complaint Status						
		Complaints pending at the end of the last quarter	Complaints received during the quarter	Total complaints	Complaints attended during the quarter	Balance Complaints to be attended	Complaints pending for more than 3 months but less than 6 months	Complaints pending for more than 6 months
		(1)	(2)	(3=1+2)	(4)	(5=3-4)		
1	Quality of supply							
2	Safety							
3	Reliability							
4	Release of new connection or modification in existing connection							
5	Non compliance of HERC order							
6	Interruption/failure of power supply							
7	Voltage complaints							
8	Metering issues							
9	Billing issues							
10	Disconnection & Reconnection of power supply							
11	Others							

2. Status of Compliance by the Licensee

a. Out of the number of grievances successfully redressed during the quarter, state the number of grievances in which the Order specified directions to the licensee: _____

b. Describe the status of the licensee's compliance against each grievance: _____

ANNEXURE-7

The Electricity Ombudsman

Half-yearly report for the period _____

1. Status of complaints redressal

Sr. No.	Nature of Complaints	Complaint Status									
		Complaints pending at the end of the last quarter	Complaints received during the quarter	Total complaints	Complaints attended during the quarter				Balance Complaints to be attended	Complaints pending for more than 3 months but less than 6 months	Complaints pending for more than 6 months
		(1)	(2)	(3=1+2)	(4)				(5=3-4)		
					Complaints non maintainable	Settled by agreement	by order	Total			
1	Quality of supply										
2	Safety										
3	Reliability										
4	Release of new connection or modification in existing connection										
5	Non compliance of HERC order										
6	Interruption/failure of power supply										
7	Voltage complaints										
8	Metering issues										
9	Billing issues										
10	Disconnection & Reconnection of power supply										
11	Others										

2. The report shall also cover the following :-

- Facts of the representation
- Responses of parties in brief
- Opinion of the Ombudsman on the compliance of standards of performance by the licensee
- Key directions issued to licensee and/ or consumer in the order
- Compliance of order by licensee and/ or consumer